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In re Application of
EVERTON, Michael
U.S. Application No.: 10/585,795
PCT No.: PCT/AU2005/000049
Int. Filing Date: 17 January 2005
Priority Date: 15 January 2004
Attorney Docket No.: WOD 0001 PA
For: WATER PURIFICATION PLANT

DECISION

This decision is in response to the petition under 37 CFR 1.182 filed on 10 April 2008.

BACKGROUND

On 13 July 2006, applicants filed a national stage application listing the international application number on the transmittal letter (Form PTO-1390) as PCT/US2005/000049.

On 16 March 2007, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905) requesting a declaration and English translation. The international application was recorded on the Form PCT/DO/EO/905 as PCT/US2005/000049.

On 16 May 2007, applicants filed a response to the Form PCT/DO/EO/905 requesting to change the PCT number listed on the transmittal letter to PCT/AU2005/000049. An executed declaration was also submitted.

On 10 April 2008, applicants submitted the subject petition under 37 CFR 1.182 after a telephone call from the undersigned.

DISCUSSION

Applicants petition to correct the PCT number to PCT/AU2005/000049 in the subject national stage application. Applicants state that the transmittal letter had a typographical error incorrectly identified the underlying PCT application as PCT/US2005/000049.

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This request is treated as a petition under 37 CFR 1.182. The \$400.00 petition fee has been paid.

A review of the above-captioned application file verifies that the wrong international application number, PCT/US2005/000049, was designated on the transmittal letter filed 13 July 2006. All other indications on the transmittal letter including the name of the first inventor, the title, priority date and the international filing date correspond to PCT/AU2005/000049. The Application Data Sheet submitted with the application also corresponds to PCT/AU2005/000049.

As such, it is clear that the subject application was intended to be filed as the national stage of PCT/AU2005/000049.

CONCLUSION

For the reasons listed above, the petition under 37 CFR 1.182 is **GRANTED**.

The above-captioned application is the national stage of PCT/AU2005/000049 filed 17 January 2005 and claiming priority to an Australian patent application filed 15 January 2004.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision.



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